

TRULINCS 30075054 - FRAIZER, TIMOTHY - Unit: BRO-H-B

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SUBJECT:
DATE: 02/20/2020 01:02:29 PM

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MAR 03 2020

LORETTA A. PRESKA
U.S. DISTRICT JUDGE
S.D.N.Y.

Case Number: 90-cr-00913-9 (LAP)
Timothy Frazier 30075-054
80---29 Street M. D. C.
Brooklyn, New York 11232

Date: February 25, 2020

Re: LAST KNOWN ATTORNEY

Honorable Judge,
P. G. Gardephe
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

To the Honorable Judge, P. G. Gardephe:

I, the writer of this missive, am addressing this matter to you sir, only because (according to PACER Documentations) you were last assigned as the LEAD ATTORNEY in my case: either to give an update, or there was an update being done on the status of the case at that time.

I do understand you are a Judge now, yet I have not been able to find anyone else to give me any knowledge or meaningful assistance in understanding what transpired (with regards to my issue's and circumstances), and how those events effect me now in 2019 and 2020.

Specifically, in the month of November 2019, I have received a certified true copy of "PACER" documentation which states that, on May 28, 2009 there was an attorney "update" in my case, where there was some sort of termination that took place; and there was a "SEALED DOCUMENT placed in the vault (rz) (ENTERED 4/ 22/ 2019)". I am baffled by these two events, along with the disposition report about the length of my sentence.

Prior to the above, on September 12, 2019 I was granted parole for my consecutive state sentence of 20-years to Life after serving 29-years and 5 months. On the aforementioned date I was picked up by the U.S. Marshalls and ultimately ended up at MDC Brooklyn on October 21,2019.

In the interim, my family was in a frenzy trying to locate where I had been taken, only to be told at each turn that there was no paperwork on me. They were aware that I was going to be returning to Federal custody but was being told there was no information as to my whereabouts. I overheard this same dialogue being held by staff upon arrival at MDC Brooklyn (...no paperwork on him... 'Frazier') and was made curious as to why is this taking place with such an old case.

Your Honor, I need help in understanding what is going on with my situation. Nobody here can give me an answer, as they tell me when I ask my counselor, and Unit Team, that they "don't know". All they tell me is that I am here to be prosecuted, however, they have no idea what I am being prosecuted for; or when asked about a court date, they say, they "don't know".

Once again, since you were the last attorney, I am requesting your help in this matter. Hopefully, you will be able to find out if there is a new issue or some other issue that needs to be addressed.

Thanking You in Advance for Your Help
Respectfully Submitted

[Copy of PACER Document Enclosed]

cc/ F.T. 

United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

CERTIFICATION OF CRIMINAL DISPOSITION

Certified Copy of Criminal Docket Entries

The attached is a true copy of the docket entries

Case Number: 90-cr-00913-9 (LAP)

Defendant's Name: Timothy Frazier

A TRUE COPY OF THE DOCKET ENTRIES
DATED: NEW YORK, NY

Date: November 15, 2019

Ruby J. Krajick
Clerk of Court

by:


Deputy Clerk

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APPEAL,PRIOR

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:90-cr-00913-LAP-9**

Case title: United States Of America v. Roberts et al

Date Filed: 12/20/1990

Date Terminated: 11/04/1991

Assigned to: Judge Loretta A. Preska

Defendant (9)

Timothy Frazier

TERMINATED: 07/16/1992

represented by **Charles D. Adler**

Goltzer & Adler

598 Madison Avenue

Fifteenth Floor

New York, NY 10022

(212) 421-7600

TERMINATED: 07/16/1992

LEAD ATTORNEY

Pending Counts

21:846 Conspiracy to Distribute Heroin
and Cocaine.

(1)

Disposition

12 Months Imprisonment. Supervised
release five years. Assessment \$50.00.

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

United States Of America

represented by **Paul George Gardephe**

New York, NY 10007

TERMINATED: 05/28/2009

LEAD ATTORNEY

Emily Anne Johnson

DOJ-USAO

US Attorney's Office, SDNY

1 St. Andrew's Plaza

New York, NY 10007

212-637-2409

Email: emily.johnson@usdoj.gov

ATTORNEY TO BE NOTICED

Jacob Edwin Warren

United States Attorney's Office, SDNY

One Saint Andrew's Plaza

New York, NY 10007

212-637-2264

Email: jacob.warren@usdoj.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/11/1990	1	COMPLAINT as to Timothy Frazier Timothy Frazier (9) count(s) cmp (signed by Magistrate Judge James C. Francis IV) (rag) (Entered: 05/26/1992)
12/11/1990	17	Arrest WARRANT issued as to Timothy Frazier (rag) (Entered: 05/26/1992)
12/20/1990		Magistrate Case Number 90-2262M. (dh) (Entered: 03/31/1992)
12/20/1990	79	Fld: Advice of Penalties and Sanctions dfts address 2000 Valentne Ave, Bronx, NY. (dh) (Entered: 03/31/1992)
12/20/1990		Magistrate case number 90-2262M-02. (gq) (Entered: 04/01/1992)
12/20/1990		Magistrate Docket Number as to Timothy Frazier : 90-2262M-16. (rag) (Entered: 05/26/1992)
12/20/1990	112	INDICTMENT as to Timothy Frazier (9) count(s) 1 (rag) (Entered: 05/26/1992)
12/27/1990		CASE Assigned to Judge David N. Edelstein (md) (Entered: 03/30/1992)
12/27/1990		CASE assigned to Judge David N. Edelstein. (gq) (Entered: 04/01/1992)
12/27/1990		Notice of asgmt to Judge David N. Edelstein (st) (Entered: 01/09/1991)
12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 05/21/1992)

12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 05/22/1992)
12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 05/22/1992)
12/27/1990		Arraignment as to Timothy Frazier held Timothy Frazier (9) count(s) 1 before Magistrate Judge Michael H. Dolinger. Deft. Timothy Frazier pres. Court enters not guilty plea. Cont'd detained. (rag) (Entered: 05/26/1992)
12/27/1990		First Appearance as to Timothy Frazier held (rag) (Entered: 05/26/1992)
12/27/1990		PLEA entered by Timothy Frazier . Court accepts plea. Not Guilty: Timothy Frazier (9) count(s) 1 (Terminated motions -) (rag) (Entered: 05/26/1992)
12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 05/26/1992)
12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 05/28/1992)
12/27/1990		CASE assigned to Judge David N. Edelstein (rag) (Entered: 06/03/1992)
01/04/1991	119	Filed petition for writ of habeas corpus ad prosequendum. (rag) (Entered: 05/27/1992)
01/24/1991	128	Fld. Affidavit that a writ of habeas corpus ad prosequendum issue. (rag) (Entered: 05/27/1992)
02/06/1991		Bail hearing as to Timothy Frazier held (rag) (Entered: 05/27/1992)
02/06/1991		PLEA entered by Timothy Frazier . Court accepts plea. Not Guilty: Timothy Frazier (9) count(s) 1 (Terminated motions -) (rag) (Entered: 05/27/1992)
02/06/1991	126	CJA 23 Financial Affidavit as to Timothy Frazier : 0 (rag) (Entered: 05/27/1992)
02/06/1991	127	NOTICE of Appearance for Timothy Frazier by Attorney Charles D. Adler (rag) (Entered: 05/27/1992)
02/25/1991	132	Arrest WARRANT Returned Executed as to Timothy Frazier on 2/1/91 (rag) (Entered: 05/27/1992)
04/19/1991		ORDER as to Timothy Frazier (Signed by Judge David N. Edelstein); Copies mailed. Fld. memo-endorsed on letter to Judge Edelstein from Charles D. Adler dtd. 3/5/91...Defense counsel for deft. Timothy Frazier represents that he has been provided with approximately 5000 pages of discovery material. His request for authorization for \$500 to copy all of these materials and ship them to defendant in otisville is denied...so ordered...Edelstein,J. (rag) (Entered: 05/27/1992)
05/14/1991	147	MOTION by Timothy Frazier Fld. Motion to Join Applicable co-defendant's motions. (rag) (Entered: 05/27/1992)
07/26/1991	147	MEMORANDUM by USA as to Timothy Frazier in opposition to [147-1] motion Fld. Motion to Join Applicable co-defendant's motions. (rag) (Entered: 05/27/1992)
07/26/1991	169	AFFIDAVIT by Timothy Frazier as to Timothy Frazier Re: [147-1] motion Fld. Motion to Join Applicable co-defendant's motions. (rag) (Entered: 05/27/1992)

10/18/1991		Status conference as to Timothy Frazier held (rag) (Entered: 05/27/1992)
11/04/1991	187	Proposed Request to Charge by USA. (gq) (Entered: 04/01/1992)
11/04/1991		PLEA entered by Timothy Frazier . Court accepts plea. Guilty: Timothy Frazier (9) count(s) 1 (Terminated motions - [147-1] motion Fld. Motion to Join Applicable co-defendant's motions. as to Timothy Frazier (9)) (rag) (Entered: 05/27/1992)
11/04/1991		Sentencing set for 9:30 1/27/92 for Timothy Frazier , Timothy Frazier (9) count(s) 1 (rag) (Entered: 05/27/1992)
11/04/1991	178	Defendant's acknowledgment of rights regarding guilty plea. by Timothy Frazier () (rag) (Entered: 05/27/1992)
07/11/1992	138	Fld. letter to Judge Edelstein dtd. 7/16/92 from AUSA Deborah E. Landis submitted in response to the objections to the Presentence Report raised by defense counsel for Timothy Frazier. (rag) (Entered: 08/11/1992)
07/16/1992	115	Fld. letter to Judge Edelstein from AUSA Deborah E. Landis dtd. 7/16/92 submitted in response to the objections to the presentence report raised by defense counsel for Timothy Frazier. (rag) (Entered: 07/29/1992)
07/16/1992		Sentencing held Timothy Frazier (9) count(s) 1 (kr) (Entered: 08/20/1992)
07/16/1992	144	JUDGMENT Timothy Frazier (9) count(s) 1. Deft. present with Attorney Charles Adler. The Deft. is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 12 Months Imprisonment. The term of imprisonment imposed by this judgment. shall run consecutively to the Deft's imprisonment under his previous State Sentence. Upon release from imprisonment the deft shall be on supervised release for a term of five years. with the following conditions; The deft submit to regular urinalysis testing at the request of the probation dept. and participate in a treatment program for drug and alcohol dependency if necessary as directed by the probation dept. The Deft. enroll in a job skills/educational training program approved by the probation dept. Supervised release five years. I imposed a mandatory Assessment \$50.00. ; Judgment and Commitment issued to U.S. Marshal (Signed by Judge David N. Edelstein) (kr) (Entered: 08/20/1992)
07/21/1992	116	Fld. Notice of Appeal to the U.S.C.A.-Second Circuit from the Judgment entered on 7/16/92. Mailed Notice of Appeal to Charles D. Adler at 598 Madison Ave, New York, N.Y. 10022 and copy of Notice of Appeal to AUSA. Copy of Notice of Appeal forwarded to Judge Edelstein and copy of Notice of appeal and docket entries to CA. (rag) (Entered: 07/29/1992)
08/07/1992	132	Fld. Notice that the 1st Supplemental Record on Appeal was sent to the USCA for the econd Circuit on 8/7/92. (rag) (Entered: 08/07/1992)
08/11/1992	137	Fld. letter to Mr. Gilliland dtd. 7/9/92 from Charles D. Adler submitted to raise objections to classifying Mr. Frazier as a Career Offender. (rag) (Entered: 08/11/1992)

		08/11/1992)
08/21/1992		Docketed as a Judgment #92,1921 on 8/21/92. (rag) (Entered: 08/24/1992)
09/21/1992	155	TRANSCRIPT of record of proceedings as to Timothy Frazier for dates of 7/16/92. (rag) (Entered: 09/22/1992)
09/21/1992	156	TRANSCRIPT of record of proceedings as to Timothy Frazier for dates of 11/4/91. (rag) (Entered: 09/22/1992)
09/25/1992	158	Fld. Notice that the 2nd Supplemental Record on appeal was sent to the USCA for the Second Circuit on 9/25/92. (rag) (Entered: 09/28/1992)
11/04/1992		Court Orders pre-sentence investigation as to Timothy Frazier (rag) . (Entered: 05/27/1992)
11/19/1992	171	File notice that the 2nd supplementnal record on appeal as to Timothy Frazier has been certified and transmitted to USCA on 11.19.92. (gb) (Entered: 11/19/1992)
11/19/1992	172	File notice that the 2nd supplemental record on appeal as to Timothy Frazier has been certified and transmitted to USCA on 11.19.92. (gb) (Entered: 11/20/1992)
10/07/1993	193	MANDATE OF USCA (certified copy) as to Timothy Frazier Re: affirming judgment/order (rag) (Entered: 10/11/1993)
12/29/1993	203	MANDATE OF USCA (certified copy) as to Frank Costanz, Bernard Barnett, Antonio Hendricks, Timothy Frazier, Vanessa Carter, Judy Smith, Shakima Pagan Re: [149-1] appeal, [125-1] appeal affirming judgment/order (rag) (Entered: 01/24/1994)
03/03/1994		Notice of appeal and certified copy of docket to USCA: [207-1] appeal by Darlene Cohen ; Copy of notice of appeal sent to District Judge. (em) (Entered: 03/03/1994)
09/19/1994	236	Request to Charge by USA (rag) (Entered: 09/19/1994)
11/21/1994	251	Filed letter by Magistrate Judge Buchwald to Mr. Barnett dtd. 6/21/94 re: Case designation. (rag) (Entered: 11/29/1994)
12/29/1994		Notice of appeal and certified copy of docket to USCA: [261-1] appeal by Warner Boyd ; Copy of notice of appeal sent to District Judge. (as) (Entered: 12/29/1994)
07/31/1995		Notice of appeal and certified copy of docket to USCA: [275-1] appeal ; Copy of notice of appeal sent to District Judge. (em) (Entered: 07/31/1995)
07/31/1995		Notice of appeal and certified copy of docket to USCA: [275-1] appeal by Richard Love ; Copy of notice of appeal sent to District Judge. (em) (Entered: 07/31/1995)
07/31/1995		Docketed as a Judgment #95,1527 on 7/31/95 as to Ronald Love (mk) (Entered: 08/03/1995)

10/21/1996	292	Filed letter by AUSA Deborah E. Landis, dtd 10/21/96 to Judge Edelstein re: in response to Ms. Vianale's recent request that the Court rescind its earlier order placing Michael Hunter in a half-way house for a four month period, and allow him instead to remain at home.... (ys) (Entered: 10/21/1996)
06/12/2001		CASE Reassigned to Judge Loretta A. Preska (gmo) (Entered: 07/23/2001)
05/28/2009		Attorney update in case as to Justine Roberts, Warner Boyd, Clementine Roberts, Ronald Love, Frank Costanz, Bernard Barnett, Antonio Hendricks, Gary Carswell, Timothy Frazier, Darlene Cohen, Katherine Boyd, Derrick Jackson, Vanessa Carter, Judy Smith, Shakima Pagan, Michael Hunter. Attorney Paul George Gardephe terminated. (rw) (Entered: 05/28/2009)
04/22/2019	530	SEALED DOCUMENT placed in vault. (rz) (Entered: 04/22/2019)

PACER Service Center			
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CERTIFIED AS A TRUE COPY ON

THIS DATE 11/15/19

BY *Meghan L. [Signature]*

() Clerk

(X) Deputy